

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**JANET ADAMS
and RANDY ADAMS**

v.

MEDTRONIC, INC. *et al.*

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Civil No. 4:19-cv-870-SDJ-KPJ


**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On March 24, 2022, the Magistrate Judge entered proposed findings of fact and a recommendation (the “Report”) (Dkt. #72) that Defendants Medtronic, Inc., Covidien LP, Covidien Sales LLC, and Covidien Holding, Inc.’s Motion for Summary Judgment (the “Motion”) (Dkt. #31) be denied without prejudice. The parties agreed to waive the fourteen-day objection period afforded by 28 U.S.C. § 636(b)(1)(C) with respect to the Report. *See* Dkt. #72 at 3.

Having received the Report of the United States Magistrate Judge, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s Report as the findings and conclusions of the Court.

Accordingly, the Motion (Dkt. #31) is **DENIED WITHOUT PREJUDICE**.

So ORDERED and SIGNED this 28th day of March, 2022.



SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE